

1983 Suit

Kaitlyn Yoomans

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Wendy Nickolas

MS. Lampert

Deborah Carpenter

MS. Murray

FILED
SCRANTON

MAY 31 2024

PER

DEPUTY CLERK

No:

Wherefore this day 5-22-24 petitioner Mrs. Kaitlyn Yoomans in a prose capacity files a 1983 Suit against the aforementioned for false imprisonment in excess of 13 days, past her sentence expiry. Petitioner contends the following in support of her motion:

- 1) Petitioner is incarcerated at SCI-Muncy for 2 cases. Docket 1379-2019 & 2025-2020
- 2) on 3/16/22 in 1379-2019 petitioner was sentenced to 3-24 months with 36 days presentence credit. In 2025-2020 on 5-14-22 petitioner was sentenced 6-24 months concurrently with 1379-2019.
- 3) Petitioner did NOT Arrive at SCI Muncy until 3-22-22 (6 days) later, on case 1379-2019. Petitioner's max date should've been 2-11-2024 SCI-Muncy's calculation was 2-18-24 originally. This is incorrect

4) on or about 2/15/23 petitioner received a 14 day parole hit on both 1379-2019 & 2025-2026 creating the following max dates 2-22-24 & 6-2-24 which is incorrect it was 2-25-24 & 6-2-24

5) on ~~2-23-24~~ 2-23-24 After 1379-2019 EXPIRED a additional 7 day hit was added to 1379-2019 when the sentence expired the day prior this left petitioner falsely imprisoned 13 days total past her max date in 1379-2019

petitioner on 2-26-24 wrote Super Nickolas, Records Ms. Lampert, Deborah Carpenter of parole board, & Ms. Murray institutional parole agent. petitioner was told to file a parole "AA form" which was mailed 2-27-24 yet no reply has ever been received. True max dates should've been 2-25-24 & 6-2-24 respectively

Instead the Institutions Warden Nickolas refused to contact records or Parole Board regarding the error she knew existed. Ms. Lampert & Ms. Murray refused to correct the calculations or contact Deborah Carpenter to correct. Ms. Carpenter refused to respond to AA filed to correct the errors.

6) Wondy Nickolas is responsible for all inmates incarcerated at SCI-Muncy. She knew through numerous Inmate requests to staff, grievances, & phone calls to institution by petitioner's family time was not properly calculated & deliberately falsify imprisoned the petitioner in excess of 11 days. MS Lampert of Records is in charge of creating DCUE Status Sheets & calculating inmates times. She knew an error of 11 days existed & refused to rectify it. DRS/MS Murray was the institutional parole agent knew there was a 11 day discrepancy & refused to reach out to Deborah Carpenter to correct. Deborah Carpenter knew there was already a 6 day discrepancy & that 1379-2019 HAD EXPIRE but still unlawfully added a additional 5 days onto a expired sentence & refused to respond to respond to the AA to correct the 11 days all which has lead petitioner to be falsley imprisoned in excess of 11 days.

7) Petitioner in Lycoming County filed a writ of Habeas Corpus to Challenge the improper calculation

See ~~docket~~ EP-41-MD0000191-2024
which today states "awaiting hearing"

all defendants acted under the color
of state law to falsley imprison
petitioner in excess of 11 days
past her maximum sentence
expiry.

8) Petitioner seeks DECLARATORY
relief she is falsley imprisoned at
SCI-Muncy in excess of 11 days
petitioner seeks MONETARY Relief

\$20,000.00 in damages

petitioner seeks injunctive relief
that SCI-Muncy cease it's false
imprisonment of petitioner on
sentence expiry of May 30th 2024

This figure is calculated by subtracting
11 days from current max date of
JUNE 9th 2024.

9) Each defendant was personally involved
in falsley imprisoning petitioner in
excess of 11 days by repeatedly ignoring
requests, ~~repeatedly~~ improperly calculating
petitioners time, in effort to falsley imprison
petitioner.

10) Deborah Carpenter & Ms. Murray while employed by the PA Parole Board are not "the agency" & thus not eligible for relief under 11th Amendment. They are employees of the parole Board Not The Parole Board Agency. They are individuals. Warden Nicholas is warden but not a prison as she is a person. Individual liability can be imposed under 42 USC 1983 as each defendant was a actor who played a affirmative part in the false imprisonment of petitioner. The allegations are NOT predicated based solely on operation of respondent superior & thus valid legal claims. The personal involvement of parties is shown due to personal & direct knowledge through grievance, requests to staff, calls & AA filing & acquiescence is shown by deliberate refusal to correct petitioner's time/credit.

11) Prose pleadings must be construed liberally in petitioner's favor. Complaint should not be dismissed without leave to amend as the allegations set forth herein are not time barred, no defendant has immunity & all defendants acted knowingly in violation of law.

12) wherefore petitioner again
seeks

DECLARATORY relief: That the
defendants falsely imprisoned petitioner
in violation of the Constitution in excess
of 11 days

Injunctive Relief: TO Cease false imprisonment
of petitioner on 5-30-2024

Monetary relief: of \$20,000.00
(\$10,000.00 compensatory & \$10,000.00 punitive)

Petitioner prays you grant relief.

Respectfully
Charlynn Yarnans
PE5687

PO BOX 180 Route 405
Munly, PA
17156



Certificate of
Service

I Kaitlyn M Youmans. Served a true &
correct copy of foregoing complaint
OP017

Wendy Nickolas


MS Lampert

MS Murray

by placing a true correct copy in
SCI-muncy institutional mailbox on

J Bunit a 6:42 pm est. on

5-22-24

Respectfully
Kaitlyn Youmans


Smart Communications/PADOC

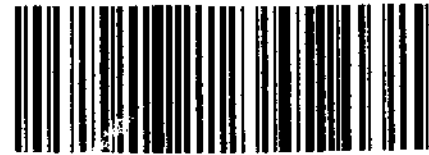
SCI-MUNCY

Name *Yamans Kaitlyn*

Number *PE5687*

PO Box 33028

St Petersburg FL 33733



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*Scranton PA
18501*

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MAY 31 2024

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